

MINUTES OF THE MEETING
SAN LUIS OBISPO
PLANNING DEPARTMENT HEARINGS
JULY 7, 2006

Minutes of the Regular Meeting of the County Planning Department Hearings held in the San Luis Obispo County Planning and Building Department Conference Room, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 9:06 a.m. by Warren Hoag, Hearing Officer.

The following action minutes are listed as they were acted upon by the Hearing Officer of the Planning Department Hearings and as listed on the agenda for the Regular Meeting of July 7, 2006, together with the maps and staff reports attached thereto and incorporated therein by reference.

PUBLIC COMMENT PERIOD

Roldan Gutierrez, applicant, is here for any questions on Item #1, Gutierrez – DRC2005-00179. Nick Gilman, neighbor, is present for Item #3, Switzer – DRC2005-00101; Brandy Ryder is present for Item #7, CALTRANS – DRC2005-00094.

CONSENT AGENDA:

None

NON-HEARING ITEMS:

1. This being the time set for hearing to consider a request by **ROLDAN GUTIERREZ** for a Minor Use Permit to modify the 800 square-foot size limitation for a secondary unit. The proposed project would authorize the conversion of an existing garage and storage area into a 1,200 square-foot secondary unit on a 1.3 acre parcel with an existing single family residence. The proposed project is within the Residential Suburban land use category and is located at 561 Camino Caballo (southeast side), approximately 0.62 miles northeast of Pomeroy Road in the community of Nipomo. The site is in the South County (inland) planning area. This project is exempt under CEQA.

County File No: DRC2005-00179

Assessor Parcel Number: 091-328-021

Supervisory District: 4

Date Accepted: June 5, 2006

Project Manager: Michael Conger

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 11 in Exhibit B. (Document No. 2006-295)

2. This being the time set for hearing to consider a request by **DENNIS HAMILTON** for a Minor Use Permit to allow for the placement of a pre-1976 mobile home, existing barn, and existing horse arena. The project will result in the disturbance of approximately 90 cubic yards of remedial work of a 45.42 acre parcel. Additionally, the applicant is requesting a waiver of the exterior design standards required by Section 22.30.450.E of the Title 22 of the County Code for siding, roof material and roof overhangs. The proposed project is within the Residential Rural land use category and is located on the north side of Gage Irving Road, approximately one half mile east of Running Deer Road and approximately 22 miles west of Paso Robles. The site is in the Nacimiento planning area. This project is exempt under CEQA.

County File No: DRC2005-00081

Assessor Parcel Number: 080-053-002

Supervisory District: 1

Date Accepted: May 4, 2006

Project Manager: Holly Phipps

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through F in Exhibit A and subject to Conditions 1 through 9 in Exhibit B. (Document No. 2006-296)

3. This being the time set for hearing to consider a request by **MARK SWITZER** for a Minor Use Permit to allow the construction of a 4,320 square foot commercial building with a 1,080 square foot covered awning and a commercial contractor storage yard. The commercial building will include 2,880 square feet of workshop area and 1,440 square feet of office area. The storage yard will be approximately 1.5 acres in size. The project will result in the disturbance of approximately 2.6 acres of a 2.6 acre parcel. The proposed project is within the Commercial Services land use category and is located on the south side of Cow Meadow Place southeast of the intersection with La Cruz Way in the Community of Templeton. The site is in the Salinas River planning area. This project is exempt under CEQA.

County File No: DRC2005-00101

Supervisory District: 1

Project Manager: Karen Nall

Assessor Parcel Number: 040-151-060

Date Accepted: March 6, 2006

RECOMMENDATION: Approve

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 16 in Exhibit B. (Document No. 2006-297)

4. This being the time set for hearing to consider a request by **PETER GIANNINI** for a Minor Use Permit/Coastal Development Permit to allow an approximately 1,050 square-foot addition to an existing, approximately 1,510 square-foot single-family dwelling, consisting of the following: addition of approximately 320 square feet to the first floor living area, addition of approximately 235 square feet to the existing garage, and addition of a new, approximately 500 square-foot second story. In addition, a portion of the existing garage is to be converted to a laundry room, and an existing bedroom and bathroom are to be converted to a den. The project will result in the disturbance of an additional approximately 800 square feet of an approximately 5,500 square-foot parcel. The proposed project is within the Residential Single Family land use category and is located at 372 Woodland Drive in the community of Los Osos. The site is in the Estero Planning Area. This project is exempt under CEQA.

County File No: DRC2005-00131

Supervisory District: 2

Project Manager: Mike Wulkan

Assessor Parcel Number: 074,171,034

Date Accepted: April 26, 2006

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 17 in Exhibit B. (Document No. 2006-298)

5. This being the time set for hearing to consider a request by **MARK AND SALLY DIMAGGIO** for a Minor Use Permit/Coastal Development Permit to allow the keeping of three horses on approximately 0.75 acres of an existing meadow, including a fenced, approximately 0.5-acre grazing area, and development of the following associated facilities: a partially covered, approximately 1,150 square-foot paddock, two 120 square-foot sheds for tack and feed, a 30-foot diameter, fenced riding round pen, a 400 square-foot covered compost area, a water well, a 5,000 gallon water tank, and an approximately 50-foot long driveway. The project will result in the disturbance of approximately 0.75 acres of an approximately 3.85-acre parcel. The proposed project is within the Residential Suburban land use category and is located on the east side of the intersection of Burton Drive and Village Lane in the community of Cambria. The site is in the North Coast Planning Area. This project is exempt under CEQA.

County File No: DRC2005-00094

Supervisory District: 2

Project Manager, Mike Wulkan

Assessor Parcel Number: 013,151,041

Date Accepted: February 6, 2006

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through M in Exhibit A and subject to Conditions 1 through 30 in Exhibit B. (Document No. 2006-299)

6. This being the time set for hearing to consider a request by **BRUCE FROIKIN AND KACEY CHUN** for a Minor Use Permit/Coastal Development Permit to allow a 455 square foot second story addition to the existing 2,398 square foot single family residence. The proposed addition includes relocating an existing bedroom and bathroom to the second floor of the home. The proposed project is within the Residential Single Family land use category and is located at 2165 Inyo Street in the community of Los Osos. The site is in the Estero planning area. This project is exempt under CEQA.

County File No: **DRC2005-00174**

Assessor Parcel Number: 074-444-010

Supervisory District 2

Date Accepted: May 16, 2006

Project Manager: Ryan Hostetter

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 13 in Exhibit B. (Document No. 2006-300)

7. This being the time set for hearing to consider a request by **CALTRANS** (Karen Bewley) for a Minor Use Permit/Coastal Development Permit to construct an earthen buttress to repair a failed slope on State Route 46. The project will result in the disturbance of approximately 270 meters along the right-of-way of Highway 46. The proposed project is within the Agriculture land use category and is located 1/2 a mile east of the juncture of State Routes 46 and 1; it is located on State Route 46 in San Luis Obispo County. The site is in the North Coast Planning Area. This project is exempt under CEQA.

County File No: **DRC2005-00197**

Assessor Parcel Number: N/A

Supervisory District: 2

Date Accepted May 10, 2006:

Project Manager: Ryan Hostetter

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 4 in Exhibit B. (Document No. 301)

8. This being the time set for hearing to consider a request by **TS/MCD, LLC**, for a Minor Use Permit/Coastal Development Permit to allow the construction of an in-ground pool directly behind the existing single family residence. The project will result in the disturbance of approximately 2,000 square feet of a 20,000 square foot parcel. The proposed project is within the Residential Single Family land use category and is located 288 Mar Vista Drive, in the Community of Los Osos. The site is in the Estero planning area. This project is exempt under CEQA.

County File No: **DRC2005-00195**

Assessor Parcel Number: 074-025-018

Supervisory District: 2

Date Accepted: May 11, 2006

Project Manager: Ryan Hostetter

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 10 in Exhibit B. (Document No. 302)

HEARING ITEMS:

9. This being the time set for hearing to consider a request by **CALTRANS** for a Minor Use Permit /Coastal Development Permit to allow improvements to State Route 101 including: a climbing lane, two auxiliary lanes, drainage improvements / modifications, and ramp improvements on State Route 101 at Monte Road / Avila Beach Road off-ramp. The project also includes several inland components for which a Land Use Permit / Coastal Development Permit is not required. The project will result in the disturbance of approximately 301,390 square feet within the Caltrans right-of-way. The proposed project is located between kilo-post marker 20.9 to 36.9 (post-mile R13.0 to 22.9). The project site is located entirely within the existing Caltrans right-of-way between San Luis Obispo Creek Bridge (San Luis Obispo County jurisdiction) and the Shell Beach off-ramp (within the City of Pismo Beach). The site is in the San Luis Bay planning area. Also to be considered at the hearing is will be approval of the Environmental Document prepared for the project. The Environmental Coordinator finds that the previously adopted Categorical Exemption is adequate for the purposes of compliance with CEQA. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s).

County File No: DRC2005-00198
Supervisory District: 3
Project Manager: Murry Wilson

Assessor Parcel Number: N/A
Date Accepted: May 12, 2006

MINUTES:

Hearing Officer: Warren Hoag

Others: Margaret May, neighbor; Diane Cotter, neighbor; John Sherlock, neighbor; Brandy Ryder, CALTRANS representative.

Hearing officer explains project.

Murry Wilson, project manager, presents staff report. Explains applicant is proposing operations improvements along Highway 101 to alleviate congestions, improve drainage, and re-align the Monte Road / Avila Beach Road off ramp. States applicant has had a cultural resource study completed for the project. Discusses changes to location of project (portion under county jurisdiction requiring a coastal development permit) at the end of Item 1.a.

Brandy Ryder, CALTRANS representative, defers to Mrs. May requesting the right to speak at a later time in the hearing.

Margaret May, neighbor, states her home is very close to the highway. Ms. May voices her concerns regarding the chain link fence that is about a foot away from her home, and the cars coming off the highway on the off ramp. States one almost hit her house recently. She questions Caltrans' plans in the way of safety measures.

John Sherlock, property owner on Shell Beach Road, cites concerns with the Avila off ramp. He is present to observe the proceedings. States he would like to see as little closure on the off ramps as possible.

Murry Wilson presents an aerial photo and site plan for review. Explains actual locations where improvements will be completed.

Brandy Ryder, Caltrans, responds. Explains widening will take place in the center of the road near the median. States the sound wall will have no impacts. She discusses installation of guard railings, which has been approved and will begin as soon as possible. Indicates the safety projects have a higher priority, and she will push to get these started as soon as she receives additional information from the concerned parties. She addresses Mr. Sherlock's concerns of reduction in closures on off ramps. States she has not had access to the plans for the closures and is not sure what is planned at this point

in time. States she will follow guidelines regarding working at night to minimize closures. She says Caltrans will not be affecting Shell Beach Road in any way on this project. Indicates trees along the main part of Shell Beach Road will not be removed, per query from the hearing officer.

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 13 in Exhibit B, with the last sentence in Condition 1a changed to read: “*The proposed project is located between the Pismo Beach City / County line and kilo-post marker 34.4.*” (Document No. 2006-303)

10. This being the time set for hearing to consider a request by **JEFFERY MEIER** to name an unnamed road. The proposed road name is Red Oak Way. The site is located in the unincorporated area of the county, it is on the north side of Lyn Rd. approximately 1800 ft from Pomeroy Rd. and 1600 ft from Stanton Road. The site is in the South County planning area. If approved, all addressable structures with access along this road will be assigned new permanent situs addresses to Red Oak Way.

County File Number: SUB2004-00077

Assessor Parcel Number: 091-063-035

Supervisory District: 4

Date Accepted: March 10, 2006

Project Manager: Leonard F. Mansell

MINUTES:

Hearing Officer: Warren Hoag

Others: None

Thereafter, on motion of the hearing officer, the road name Red Oak Way is approved to become final in 10 days if no appeal is filed, based on Findings A through E. (Document No. 2006-304)

11. This being the time set for hearing to consider a request by **JORGENSEN LIVING TRUST** to name two unnamed roads. The proposed road names are Leif Lane and Rosevine Lane. The site is located in the unincorporated area of the county, it is on the west side of Noyes Rd 1/4 mile north of the Arroyo Grande city limits in the Arroyo Grande Fringe. The site is in the San Luis Bay planning area. If approved, all addressable structures with access along these roads will be assigned new permanent situs addresses to *Leif Lane or Rosevine Lane*.

County File Number: SUB2005-00207

Assessor Parcel Number: 044-360-020

Supervisory District: 3

Date Accepted: March 23, 2006

Project Manager: Leonard F. Mansell

MINUTES:

Hearing Officer: Warren Hoag

Others: Mr. and Mrs. Jorgensen, applicants.

Leonard Mansell, staff, presents project. States the Jorgensens had initially applied for a parcel map. Explains why the right of way has to be renamed.

Lisa Jorgensen, applicant, has no comments.

Thereafter, on motion of the hearing officer, the road names Leif Lane and Rosevine Lane are approved to become final in 10 Days, if no appeal is filed, based on Findings A through E. (Document No. 2006-305)

12. This being the time set for hearing to consider a request by **FRED SOTO** to name an unnamed road. The proposed road name is Park View Lane. The site is located in the unincorporated area of the county, it is on the north side of the 800 hundred block of We. Tefft St. east of the Nipomo Regional Park. The site is in the South County planning area. If approved, all

addressable structures with access along this road will be assigned new permanent situs addresses to *Park View Lane*.

County File Number: SUB2004-00252

Supervisory District: 4

Project Manager: Leonard F. Mansell

Assessor Parcel Number: 092-139-025

Date Accepted: March 22, 2005

MINUTES:

Hearing Officer: Warren Hoag

Others: Robert Mick

Leonard Mansell, staff, presents project.

Robert Mick, representative for Mr. Soto, states he has no comments. Asks about the procedure necessary should the neighbors decide to pave the road at a later date.

There is discussion. Hearing officer states that since this is a right of way offered for dedication, the individuals may need to apply for an encroachment permit from Public Works.

Thereafter, on motion of the hearing officer, the road name Park View Lane is approved to become final in 10 days, if no appeals are filed, based on Findings A through E. (Document No. 2006-306)

This being the time set for hearing to consider a request by **FRANK CARON** to name an unnamed road. The proposed road name is Via Papagallo. The site is located in the unincorporated area of the county, it is on the west side of Mesa View Dr. east of North View Ave. in the Palo Mesa Village. The site is in the South County planning area. If approved, all addressable structures with access along this road will be assigned new permanent situs addresses to *Via Papagallo*.

County File Number: SUB2004-00231

Supervisory District: 4

Project Manager: Leonard F. Mansell

Assessor Parcel Number: 075-150-027

Date Accepted: March 22, 2005

MINUTES:

Hearing Officer: Warren Hoag

Others: Frank Caron, applicant.

Leonard Mansell, staff, presents project. Discusses access.

Frank Caron, applicant, asks about his responsibility to build the road. Once built, is it his responsibility to maintain the road.

Hearing officer advises Mr. Caron to visit with Public Works to get information about the process. Advises the applicant he could possibly create a formal road maintenance agreement with the neighbors.

Thereafter, on motion of the hearing officer, the road name Via Papagallo is approved to become final in 10 days, if no appeal is filed, based on Findings A through E. (Document No. 2006-307)

There being no further business to discuss, the hearing is adjourned.

Respectfully submitted,
Mary Velarde, Secretary
Planning Department Hearings